

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

January 25, 2008

Charles R. Fulbruge III  
Clerk

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No. 07-40187  
Summary Calendar

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UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

GUSTAVO ESTRELLA POOT

Defendant-Appellant

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:06-CR-94-2

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Before HIGGINBOTHAM, STEWART, and OWEN, Circuit Judges

PER CURIAM:\*

The Federal Public Defender appointed to represent Gustavo Estrella Poot has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Poot has filed a response, asserting that counsel was ineffective. Our independent review of the record, counsel's brief, and Poot's response discloses no nonfrivolous issue for appeal. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

responsibilities herein, and the APPEAL IS DISMISSED. See 5<sup>TH</sup> CIR. R. 42.2.  
Poot's motion to disqualify and appoint new counsel is DENIED.